

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ANNAMALAI ANNAMALAI, #56820-379	*	
Plaintiff,		
v.	*	CIVIL ACTION NO. PX-16-2753
SONALI KRAFT	*	
KEVIN KRAFT		
HEMA MEHTA	*	
Defendants.		

MEMORANDUM

On August 1, 2016, the Clerk received for filing the above-captioned self-represented action filed by Annamalai Annamalai (“Annamalai”), also known as Swamiji Sri Selvam Siddhar and Commander Selvam, a federal prisoner currently confined in the United States Penitentiary in Marion Illinois. Because he appears indigent, Annamalai’s motion for leave to proceed in forma pauperis shall be granted.

As it is difficult to determine the basis for Annamalai’s “suit in equity,” the court has examined the Public Access to Electronic Court Records (“PACER”) docket to review the previous criminal and civil actions filed against and by Annamalai in the federal courts in an attempt to elucidate his claims. Annamalai was convicted in the United States District Court for the Northern District of Georgia of multiple counts of conspiracy to commit bank fraud, bank fraud, aiding and abetting, false income tax return, bankruptcy fraud, money laundering, false statement obstruction of justice, false statement under oath in bankruptcy proceeding, and conspiracy to conceal a person from arrest, in violation of 18 U.S.C. §§ 2, 1349, 1344, 371, 152(1), 1956(a)(1)(B)(i), 1001(a)(3),

1503, 152(2), 1071. *See United States v. Annamalai*, Criminal No. 13-cr-437-TCB at ECF No. 355. The charges arose in connection with the formation of the Hindu Temple and Community Center of Georgia, Inc. On July 16, 2015, Annamalai was sentenced to a total term of imprisonment of 327 months and a total five-year term of supervised release. He was also ordered to pay a special assessment of \$33,400.00 and to make restitution in the amount of \$550,527.92. *See United States v. Annamalai*, Criminal No. 13-cr-437-TCB at ECF No. 355.

In the criminal proceedings, the Government stated that Annamalai, both before and after conviction, had demonstrated a commitment to filing malicious lawsuits and asked the Court to order him to not file frivolous, abusive, or malicious lawsuits against former customers of his Hindu Temple business and victims of his criminal schemes. On July 16, 2015, the district court ordered that, while incarcerated and on supervised release, Annamalia “shall not file frivolous, abusive, or malicious lawsuits against...former customers of the Hindu Temple and related entities, and victims of his criminal schemes...” *Id.* at ECF No. 355 at pp. 2-3. Annamalia’s notice of appeal remains pending.

After filing nineteen self-represented post-judgment motions in his criminal case, on April 13, 2016, an injunction was issued limiting Annamalai’s ability to file motions. The court found that Annamalai had engaged in an “abusive misuse of the judicial process by repeatedly filing motions that are patently without merit and by endlessly seeking reconsideration of prior orders, including orders denying motions for reconsideration.” *Id.* at ECF No. 485.

Since 2013, Annamalai has filed some 40 civil actions in the federal courts. The majority of those cases were filed in the United States District Court for the Northern District of Georgia.

Approximately seventeen of those cases, filed in various federal district courts, were submitted within the past eight months. The court finds those cases instructive. In *Annamalai v. Rajkumar, et al.*, Civil Action No. 16-4491-CM (S.D. N.Y.), Chief United States District Judge Colleen McMahon dismissed the case after noting that Annamalai had been declared a vexatious litigant by the 151st Civil Court, Harris County, Texas and by the United States District Court for the Northern District of Georgia in *Hindu Temple and Community Center of High Desert, Inc. v. Kepner*, Civil Action No. 12-2941-SCJ (N. D. Ga. Mar. 28, 2013). A similar finding was reached in *Siddahar v. Reynolds, et al.*, Civil Action No. 16-1373-TWT (N.D. Ga. July 8, 2016); *Annamalai v. United States*, Civil Action No. 16-815-PEC (U.S. Court of Federal Claims July 25, 2016); and *Annamalai v. United States*, Civil Action No. 16-816-PEC (U.S. Court of Federal Claims July 21, 2016). The cases were dismissed as a violation of the criminal judgment and commitment or as frivolous.¹

Annamalai seeks equitable relief in the instant cause of action in the form of an “interlocutory injunction.” Although review of his prior federal cases does not assist the court in its understanding of the factual or legal allegations raised by Annamalai or the jurisdictional basis for his filing in this district, it is apparent that he is seeking relief related to his former Hindu Temple business. It is thus in direct violation of the July 16, 2015 judgment and commitment imposed in *United States v. Annamalai*, Criminal No. 13-437-TCB at ECF No. 355. The court shall dismiss

¹ The court observes that on June 13, 2016, Annamalai sued a number of parties seeking an interlocutory injunction in the United States District Court for the District of New Jersey. These parties included Kevin Kraft, Sonali Kraft, and Hema Mehta. Annamalai addressed them as the “former disgraceful followers of the Petitioner.” See *Annamalai v. Sekar, et al.*, Civil Action No. 16-3415-KM-JBC. On August 3, 2016, the complaint was dismissed without prejudice for non-compliance with court order.

this action without prejudice. The ex parte motion for an interlocutory injunction shall be denied. A separate Order shall be entered in accordance with this Memorandum.

Date: August 10, 2016

_____/s/_____
Paula Xinis
United States District Judge